

HOUSE BILL 2328

By Faison

AN ACT relative to agency rules scheduled to expire pursuant to the provisions of the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) Except as provided in subsection (c), all permanent rules filed in the office of secretary of state on or after January 1, 2017, that are in effect on the effective date of this act, and that are scheduled for expiration under § 4-5-226, on June 30, 2018, shall not expire on June 30, 2018, but shall remain in effect until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment.

(b) This section shall not be construed to justify the continued effectiveness of any rule that will remain in effect under subsection (a) if the rule conflicts with the provisions of any legislative enactment other than the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c) Notwithstanding subsection (a) or title 4, chapter 5, part 2, Tennessee Department of Children's Services Rule 0250-07-09-.12, relative to the Child Abuse Registry Review Committee, and filed in the office of secretary of state on October 6, 2017, shall expire on the effective date of this act.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.